

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. <u>01-10314-MLW</u>
)	
v.	)	VIOLATIONS:
KEVIN MODLIN,	)	21 U.S.C. § 846 -- Conspiracy
A/K/A "SHORTY;"	)	to Distribute Cocaine Base
JONATHAN HART,	)	21 U.S.C. § 841(a)(1) --
A/K/A "JIZZ;"	)	Distribution of Cocaine
EDWARD BRITT;	)	Base
A/K/A "SHORTY;")	
AARON BROWN,	)	18 U.S.C. § 2 --
A/K/A "A-K;"	)	Aiding and Abetting
DARRYL GREEN;)	
HORMEL ST. CHARLES;	)	18 U.S.C. § 924(c)(1)(A) --
CURT BELGROVE,	)	Use of a Firearm During a
A/K/A "GRITS" OR "GRIZZ;"	)	Drug Trafficking Crime
DONNELL BEVERLY;)	
TYRIE WILLIAMS,)	
A/K/A "SMOKE" or)	
"DETROIT;")	
SEAN WILLIAMS;)	
KHAMAL MCCALOP,)	
A/K/A "MARLEY;")	
BRANDEN MORRIS;)	
DON JAMONT BANKS;)	
and)	
ERIC KING,)	
A/K/A "NITTY" or "NETTY")	

DOCKETED

FIRST SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846 -- Conspiracy To Distribute
Cocaine Base)

The Grand Jury charges that:

From a time unknown to the Grand Jury, but at least by in or
about September of 2000, and continuing thereafter until the date
of this indictment, in the District of Massachusetts and
elsewhere,

KEVIN MODLIN, A/K/A "SHORTY;"
JONATHAN HART, A/K/A "JIZZ;"

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EDWARD BRITT, A/K/A "SHORTY;"
AARON BROWN, A/K/A "A-K;"
DARRYL GREEN;
HORMEL ST. CHARLES;
CURT BELGROVE, A/K/A "GRITS" OR "GRIZZ;"
DONNELL BEVERLY;
TYRIE WILLIAMS, A/K/A "SMOKE" OR "DETROIT;"
SEAN WILLIAMS;
KHAMAL MCCALOP, A/K/A "MARLEY;"
BRANDEN MORRIS;
and
ERIC KING, A/K/A "NITTY" OR "NETTY,"

the defendants herein, did knowingly and intentionally conspire and agree among themselves and with persons known and unknown to the Grand Jury, to possess with intent to distribute, and to distribute, 50 grams or more of a mixture or substance which contains a detectable amount of cocaine base, also known as "crack," a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A)(iii).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about January 8, 2001, at Boston, in the District of Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about January 16, 2001, at Boston, in the District of Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY"
AND
DON JAMONT BANKS,

the defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, 5 grams or more of a mixture or substance which contains a detectable amount of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(iii), and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about January 19, 2001, at Boston, in the District of Massachusetts,

TYRIE WILLIAMS, A/K/A "SMOKE" OR "DETROIT,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT FIVE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about January 26, 2001, at Boston, in the District of Massachusetts,

TYRIE WILLIAMS, A/K/A "SMOKE" OR "DETROIT,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT SIX: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about February 14, 2001, at Boston, in the District of Massachusetts,

TYRIE WILLIAMS, A/K/A "SMOKE" OR "DETROIT,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT SEVEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about February 20, 2001, at Boston, in the District of Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, 5 grams or more of a mixture or substance which contains a detectable amount of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(iii).

COUNT EIGHT: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about March 13, 2001, at Boston, in the District of Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY;"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT NINE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about March 28, 2001, at Boston, in the District of Massachusetts,

JONATHAN HART, A/K/A "JIZZ,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about March 28, 2001, at Boston, in the District of Massachusetts,

EDWARD BRITT, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT ELEVEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about March 29, 2001, at Boston, in the District of Massachusetts,

EDWARD BRITT, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWELVE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about April 6, 2001, at Boston, in the District of Massachusetts,

EDWARD BRITT, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT THIRTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about April 12, 2001, at Boston, in the District of Massachusetts,

**EDWARD BRITT, A/K/A "SHORTY,"
and
SEAN WILLIAMS,**

the defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FOURTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of
Cocaine Base)

The Grand Jury further charges that:

On or about April 27, 2001, at Boston, in the District of
Massachusetts,

AARON BROWN, A/K/A "A-K,"

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, 5 grams or more of
a mixture or substance which contains a detectable amount of
cocaine base, also known as "crack," a Schedule II controlled
substance.

All in violation of Title 21, United States Code, Sections
841(a)(1) and (b)(1)(B)(iii).

COUNT FIFTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about May 2, 2001, at Boston, in the District of Massachusetts,

**KEVIN MODLIN, A/K/A "SHORTY,"
and
SEAN WILLIAMS,**

the defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT SIXTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of
Cocaine Base; 18 U.S.C. §2 -- Aiding and
Abetting)

The Grand Jury further charges that:

On or about May 3, 2001, at Boston, in the District of
Massachusetts,

EDWARD BRITT, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, 5 grams or more of
a mixture or substance which contains a detectable amount of
cocaine base, also known as "crack," a Schedule II controlled
substance.

All in violation of Title 21, United States Code, Sections
841(a)(1) and (b)(1)(B)(iii), and Title 18, United States Code,
Section 2.

COUNT SEVENTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of
Cocaine Base)

The Grand Jury further charges that:

On or about May 9, 2001, at Boston, in the District of
Massachusetts,

CURT BELGROVE, A/K/A "GRITS" OR "GRIZZ,"
and
EDWARD BRITT, A/K/A "SHORTY,"

the defendants herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections
841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section
2.

COUNT EIGHTEEN: (21 U.S.C. § 841(a)(1) -- Distribution of
Cocaine Base)

The Grand Jury further charges that:

On or about May 10, 2001, at Boston, in the District of
Massachusetts,

AARON BROWN, A/K/A "A-K,"

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections
841(a)(1) and (b)(1)(C).

COUNT NINETEEN: (21 U.S.C. § 841(a)(1) -- Distribution of
Cocaine Base)

The Grand Jury further charges that:

On or about May 31, 2001, at Boston, in the District of
Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY,"

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections
841(a)(1) and (b)(1)(C).

COUNT TWENTY: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about May 31, 2001, at Boston, in the District of Massachusetts,

KHAMAL MCCALOP, A/K/A "MARLEY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWENTY-ONE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about June 20, 2001, at Boston, in the District of Massachusetts,

AARON BROWN, A/K/A "A-K;"
EDWARD BRITT A/K/A "SHORTY;"
and
BRANDEN MORRIS,

the defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about June 21, 2001, at Boston, in the District of Massachusetts,

KEVIN MODLIN, A/K/A "SHORTY"
and
DONNELL BEVERLY,

the defendants herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about June 27, 2001, at Boston, in the District of Massachusetts,

SEAN WILLIAMS,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWENTY-FIVE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about July 3, 2001, at Boston, in the District of Massachusetts,

DARRYL GREEN,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, 5 grams or more of a mixture or substance which contains a detectable amount of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(iii).

COUNT TWENTY-SIX: **(21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)**

The Grand Jury further charges that:

On or about July 18, 2001, at Boston, in the District of Massachusetts,

DARRYL GREEN,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, 5 grams or more of a mixture or substance which contains a detectable amount of cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(iii).

COUNT TWENTY-SEVEN: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about August 1, 2001, at Boston, in the District of Massachusetts,

HORMEL ST. CHARLES,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWENTY-EIGHT: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about August 9, 2001, at Boston, in the District of Massachusetts,

HORMEL ST. CHARLES,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWENTY-NINE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about August 30, 2001, at Boston, in the District of Massachusetts,

ERIC KING, A/K/A "NITTY" or "NETTY,"

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT THIRTY: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about August 30, 2001, at Boston, in the District of Massachusetts,

DONNELL BEVERLY,

the defendant herein, did knowingly and intentionally possess with intent to distribute, and did distribute, cocaine base, also known as "crack," a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT THIRTY-ONE: **(18 U.S.C. § 924(c)(1)(A) -- Carrying a
Firearm During a Drug Trafficking Crime)**

The Grand Jury further charges that:

On or about July 5, 2001, at Boston, in the District of
Massachusetts,

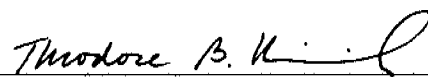
JONATHAN HART, A/K/A "JIZZ,"

the defendant herein, knowingly carried a firearm, to wit, a Star
9 mm semi-automatic pistol containing serial number 1253250,
during and in relation to a drug trafficking crime for which he
may be prosecuted in a court of the United States, that is, the
possession with the intent to distribute of a quantity of cocaine
base, also known as "crack," in violation of Title 21, United
States Code, Section 841(a)(1).

All in violation of Title 18, United States Code, Section
924(c)(1)(A).

A TRUE BILL,

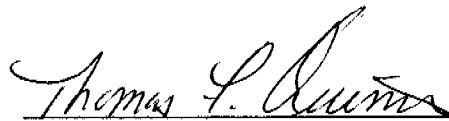

FOREPERSON OF THE GRAND JURY


Theodore B. Heinrich
Patrick M. Hamilton
Assistant U.S. Attorneys

DISTRICT OF MASSACHUSETTS

December 5, 2001

Returned into the District Court by the Grand Jurors and
filed.


Deputy Clerk
12/5/01
3:45pm